

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ROBERT L. ADAMS,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	NO. 23-1178
	:	
DELAWARE COUNTY, <i>et al.</i>	:	
Defendants.	:	

ORDER

AND NOW, this 30th day of September 2024, upon considering defendants' motions to dismiss (DI 58, 61), plaintiff's oppositions (DI 63, 64), defendants' reply (DI 67), and for reasons in the accompanying memorandum, it is **ORDERED**:

1. Defendants' motions to dismiss (DI 58, 61) are **GRANTED in part** and **DENIED in part**.
2. The following claims are dismissed without prejudice: all claims against The GEO Group and John Christakis; Fourteenth Amendment deliberate indifference claims against Warden Williams and Dr. Phillips in their individual capacities; all professional negligence claims against Nurse Ford and Dr. Phillips; and the intentional infliction of emotional distress claim against Dr. Phillips in his individual capacity.
3. The following claims are dismissed with prejudice because they are not brought against proper defendants, are not cognizable under law, and / or are duplicative of other claims: all ADA and Rehabilitation Act claims against Warden Williams; ADA and Rehabilitation Act claims against Delaware County for punitive damages; all ADA and Rehabilitation Act claims against Nurse Ford and Dr. Phillips; Fourteenth Amendment deliberate indifference claims against Warden Williams, Nurse Ford, and Dr. Phillips in their official capacities; intentional

infliction of emotional distress claims against Nurse Ford and Dr. Phillips in their official capacities; and all Eighth Amendment claims.

4. The case will proceed on Mr. Adams's ADA and Rehabilitation Act claims against Delaware County; Fourteenth Amendment claims against Delaware County and against Nurse Ford in her individual capacity; and the intentional infliction of emotional distress claim against Nurse Ford in her individual capacity.

5. Mr. Adams may file a second amended complaint no later than **October 30, 2024**. Responsive pleadings will be due **November 13, 2024**.


MURPHY, J.